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United States Bankruptcy Court States Bankruptčy Eastern District of Pennsylvania

In re: Patrick J. Lyons Debtor

Case No. 17-12550-ref Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0313-4 User: SaraR Page 1 of 1 Date Rcvd: Sep 10, 2018 Form ID: pdf900 Total Noticed: 6

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 12, 2018.

db +Patrick J. Lyons, 35 Iris Circle, Elizabethtown, PA 17022-1418 +BANK OF AMERICA, N.A., P.O. Box 31785, TAMPA, FL 33631-3785 +BANK OF AMERICA, N.A., 16001 N. Dallas Pkwy, Addison, TX 75001-3311 +Members 1st Federal Credit Union, c/o Shawn M. Long, Esquire, Barley cr cr

Barley Snyder, cr

126 East King Street, Lancaster, PA 17602-2893

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. E-mail/Text: camanagement@mtb.com Sep 11 2018 02:13:12 M&T Bank, 1100 Wehrle Drive, cr

Williamsville, NY 14221

+E-mail/PDF: gecsedi@recoverycorp.com Sep 11 2018 02:11:44 Synchrony Bank cr c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 2

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 12, 2018 Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 10, 2018 at the address(es) listed below:

ALAINE V. GRBACH on behalf of Debtor Patrick J. Lyons avgrbach@aol.com ALAINE V. GRBACH on behalf of Plaintiff Patrick J. Lyons avgrbach@aol.com ANDREW SPIVACK on behalf of Creditor BANK OF AMERICA, N.A. paeb@fedphe.com BANK OF AMERICA, N.A. paeb@fedphe.com JEROME B. BLANK on behalf of Creditor

JODI L. HAUSE on behalf of Creditor BANK OF AMERICA, N.A. jodi.hause@phelanhallinan.com, paeb@fedphe.com

KEVIN G. MCDONALD on behalf of Creditor M&T BANK S/B/M MANUFACTURERS AND TRADERS TRUST COMPANY bkgroup@kmllawgroup.com

KEVIN G. MCDONALD on behalf of Defendant M & T Bank bkgroup@kmllawgroup.com LISA MARIE CIOTTI on behalf of Trustee FREDERICK L. REIGLE ecfmail@fredreiglech13.com, ecf\_frpa@trustee13.com

on behalf of Creditor M&T BANK S/B/M MANUFACTURERS AND TRADERS TRUST MATTEO SAMUEL WEINER COMPANY bkgroup@kmllawgroup.com

SHAWN M. LONG on behalf of Defendant Members 1st F.C.U, slong@barley.com, jrachor@barley.com;cbrelje@barley.com;sromig@barley.com;tshober@barley.com

SHAWN M. LONG on behalf of Creditor Members 1st Federal Credit Union slong@barley.com, jrachor@barley.com;cbrelje@barley.com;sromig@barley.com;tshober@barley.com

United States Trustee USTPRegion03.PH.ECF@usdoj.gov

WILLIAM MILLER\*R ecfemail@FredReigleCh13.com, ECF\_FRPA@Trustee13.com

TOTAL: 13

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Patrick J. Lyons	Debtor	CHAPTER 13
M&T BANK S/B/M MANUFATRADERS TRUST COMPAN		NO. 17-12550 REF
Patrick J. Lyons	<u>Debtor</u>	11 U.S.C. Section 362
Frederick L. Reigle Esq.	Trustee	

### **STIPULATION**

AND NOW, it is hereby stipulated and agreed by and between the undersigned as follows:

1. The post-petition arrearage on the mortgage held by the Movant on the Debtor's residence is \$6,655.22, which breaks down as follows;

Post-Petition Payments:

\$375.98 for May 9, 2017; \$372.10 for June 9, 2017; \$376.58 for July 9, 2017; \$385.54 for August 9, 2017 to October 9, 2017; \$390.32 for November 9, 2017; \$385.54 for December 9, 2017; \$399.89 for January 9, 2018; \$380.76 for February 9, 2018; \$384.35 for March 9, 2018; \$399.59 for April 9, 2018 to May 9, 2018; \$403.47 for June 9, 2018 to July 9, 2018; \$408.85 for August 9, 2018; \$418.11 for September 9, 2018.

**Total Post-Petition Arrears** 

\$6,655.22

- 2. The Debtor shall cure said arrearages in the following manner:
- a). Within seven (7) days of the filing of this Stipulation, Debtor shall file an Amended Chapter 13 Plan to include the post-petition arrears of \$6,655.22.
- b). Movant shall file an Amended or Supplemental Proof of Claim to include the post-petition arrears of \$6,655.22 along with the pre-petition arrears;
- c). The new 410A form for a Proof of Claim shall not be required for this Amended or Supplemental Proof of Claim.
- 3. Beginning with the payment due October 9, 2018 and continuing thereafter, Debtor shall pay to Movant the present regular monthly mortgage payment of \$418.11 (or as adjusted pursuant to the terms of the mortgage) on or before the first (1<sup>st</sup>) day of each month (with late charges being assessed after the 15<sup>th</sup> of the month).

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- Should Debtor provide sufficient proof of payments made, but not credited (front & back copies of cancelled checks and/or money orders), Movant shall adjust the account accordingly.
- In the event the payments under Section 3 above are not tendered pursuant to the terms of this stipulation, Movant shall notify Debtor and Debtor's attorney of the default in writing and the Debtor may cure said default within FIFTEEN (15) days of the date of said notice. If Debtor should fail to cure the default within fifteen (15) days, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant immediate relief from the automatic stay and waiving the stay provided by Bankruptcy Rule 4001(a)(3).
- 6. If the case is converted to Chapter 7, Movant shall file a Certification of Default with the Court and the Court shall enter an order granting Movant relief from the automatic stay.
- If the instant bankruptcy is terminated by either dismissal or discharge, this agreement shall be null and void, and is not binding upon the parties.
- 8. The provisions of this stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this stipulation, including fees and costs, due under the terms of the mortgage and applicable law.
  - 9. The parties agree that a facsimile signature shall be considered an original signature.

Date: September 4, 2018

/s/ Kevin G. McDonald, Esquire Kevin G. McDonald, Esquire

for Movant

Alaine V. Grbach, Esquire

Attorney for Debtor

William C. Miller, Esquire

Chapter 13 Trustee

Approved by the Court this

2018. However, the court

retains discretion regarding entry of any further order.

Date: September 9, 2018

Bankruptcy Judge Richard E. Fehling